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ABSTRACT

The politics of higher education during the Nixon administration are reviewed in chronological sequence of the most relevant events of this period. Significant political aspects and policy initiatives of the 1972 legislation are indicated. Policy initiatives are discussed in relation to student aid, institutional aid, and innovation and reform. (MJM)

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THE POLITICS OF HIGHER EDUCATION DURING THE NIXON ADMINISTRATION

by

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I. Introduction

In the Spring of 1969 a key participant in the higher education policy arena, Peter P. Muirhead, wrote as follows:

> "This pressure for more money is only one challenge confronting higher education today and placing it in the paradoxical position of a national institution that has reached a summit of achievement and yet finds itself beset by the most vexing, difficult problems it has ever known. While we are applauding the performance of the last ten years, we are likely to observe the next ten with rather brittle smiles."[1]

It is doubtful today whether any knowledgeable participant in the politics of higher education can muster even a brittle smile in contemplating events since 1969, or the prospects for the future. Many are hard pressed to stifle their groans of frustration and despair. In short, the first Nixon term was one of search and questioning, of conflict and reluctant compromise, and of pervasive uneasiness on the part of practically everyone who has a stake in American higher education. Given the unsettled temper of the times and the unmistakable signs that higher education has become fully and continuously meshed with virtually every facet of national politics, this situation is not surprising.

A warning must be posted at the outset of this brief review of a complex and eventful policy-making arena. Since we must isolate higher education politics from the larger context and single out for comment only the most significant aspects, some important relationships and details are necessarily slighted. For example, we will largely

ignore concurrent developments with regard to school busing, which became linked with, and to some degree overshadowed, higher education issues in the Congress and the public mind during 1972. This omission is justified by the assumption that the linkage was primarily a matter of legislative strategy in response to the busing controversy, and had only marginal impact on the formulation of higher education policies from 1969 to 1972.

Our first task is to review in chronological sequence some of the most relevant events of this period. Then we shall discuss the most significant political aspects and policy initiatives of the 1972 legislation.

II. Highlights of Federal Policy-Making for Higher Education (1969-1972)

During the early months of the Nixon Administration the legislative agenda for higher education held a relatively low priority. The 1968 Act extended existing Federal subsidies until mid 1971, and this deadline was subsequently extended to June 30, 1972. Higher education lobbyists concentrated instead on the appropriations battle, seeking to hold the line against the assault of the President's budget-cutters on existing programs. The Congress concerned itself somewhat about campus violence and took steps to expand the supply of funds for student loans and grants; and there were a few legislative probes, such as the Miller Bill advocating general institutional aid for the development of science.[2]

Meantime, however, the off-stage preliminaries for renewal of the higher education bills accelerated. By early 1971, a wave of

reports, studies and recommendations concerning the Federal role in education had crested. They flowed from all directions--the White House, the Federal education bureaucracy, the Congress, the higher education associations, private corporations, individual scholars, and the foundations. Among the most influential analyses of policy were those of the Rivlin, Pifer, and Newman task forces, and especially those of the Carnegie Commission on Higher Education.[3]

The administration unveiled its first legislative program for higher education in May, 1970. Prepared without consultation with congressional leaders and the higher education spokesmen, it fell short of satisfying any segment of opinion and progressed only through the stage of committee hearings. Campus unrest attributable to the Vietnam War made the climate unfavorable for negotiations concerning the Federal role in higher education. It steadily deteriorated after 1968, reaching a low point in October, 1970 on the occasion when Presidential Adviser Daniel Patrick Moynihan, a keynote speaker at a meeting of the American Council on Education, made a biting attack on the leaders of the higher education community for their failure to support the Administration proposals.[4]

Soon thereafter, the newly appointed leaders of the Department of Health, Education and Welfare and the United States Office of Education, Secretary Elliott Richardson and Commissioner Sidney Marland, undertook to repair communications by scheduling regular meetings with both Congressional policy-makers and spokesmen for the educational associations. In sum, and also in sharp reversal to the Johnson incumbency, the early part of the Nixon term was distinguished by limited legislative output, weak executive initiative, poor com-

munication--even hostility--among the parties at interest. However, issues and alternatives, more broadly conceived than previously, began to command attention. Their various protagonists and opponents began to map the positions they would take when it got down to actually rewriting the higher education legislation in the 92nd Congress.

This task lasted twenty-seven months, and was finally completed on June 23, 1972 when President Nixon signed the Education Amendments of 1972.[5] It would have been difficult enough to reconcile the divergent higher education bills passed by the Senate and reported by the House Committee by October of 1971. The process became immeasurably complicated by the subsequent House action which grafted on several unrelated education bills, including the Emergency School Aid Program and the National Institute of Education. Further, the House added three amendments restricting school busing and then adopted on two different occasions unprecedented resolutions instructing its conferees not to weaken them. The conference deliberations lasted for more than two months. The patience, persistence and skill of Senator Pell and Representative Perkins, the respective Education Committee Chairmen, are credited with producing something of a miracle--that is, a conference report that could pass both houses and escape a Presidential veto.

The dimensions of this omnibus legislation boggle the mind. It is aptly referred to as a "freight train" or "Christmas tree" because of the weighty load of Federal benefits which it bears. Its legislative history and impact on American education are sure to engage political analysts for some time to come. We can barely scratch the surface here by summarizing a few of the political and substan-

tive aspects most cogent to our longitudinal review of higher education policy, with all the attendant risks of over-simplification and omission.

III. Significant Political Aspects of the Education Amendments of 1972

While it includes many novel provisions, the higher education Titles of the 1972 Act aggregate and continue the wide range of benefits which were enacted prior to 1969. In contrast to the Johnson legislation, action in 1970 to 1972 is traceable to Congressional rather than Presidential agressiveness, although the 1972 Act incorporates certain Nixon initiatives. The Secretary of HEW performed a broker role, and USOE was largely by-passed.

Congressional solidarity was notably weakened. The respective positions of the Senate and House policy-makers for higher education became polarized, as did those of certain House Committee members and conferees. Splits occurred along policy and programmatic as well as partisan lines. The cohesiveness of the Senate group furthered the adoption of its innovative proposals.

The Federal legislators, especially the Senate committee members, accepted findings and recommendations developed under outside sponsorship. The contribution of economic researchers was notable, especially with regard to the rationale for new forms of student and institutional aid. The influence, even the credibility of the official spokesmen for the higher education interests declined.

Given the well-advertised views and prior actions of President Nixon concerning cut-backs for the Federal higher education pro-

grams, the levels of program funding established in the Act are visionary. The experience begun in the Johnson years is thus likely to continue: that is, "high expectations, high authorizations, and low appropriations."[6]

The Act provides more detailed Congressional oversight of the Federal educational bureaucracy, specifying new organizational structures and laying on some demanding new administrative tasks. And it further extends the carrot-and-stick strategy to the state policy-makers for higher education, offering fiscal incentives which are tied to requirements for coordinated planning.

From this rough sketch of the actors and actions involved in its passage, we turn to a review of the most significant policy initiatives of the Act.

IV. Higher Education Policy Initiatives in the 1972 Legislation

A. Student Aid

At the heart of the controversy which developed after 1968 concerning the role of the federal government in the future financing of higher education was the question: "Will primary emphasis be placed on aid to students or aid to institutions?" The 1972 Act resolved it in favor of student aid. Greatly simplified, the major factures of the new plan are:

1. Students are eligible for "basic educational opportunity" grants (BOG) which, like the G.I. grants, are made directly to the recipient by the federal government. Theoretically, each student is entitled to receive an amount up to $1,400.00 a year, minus what his family can reasonably be expected to contribute. This would

mean, in general, that students from families with incomes of about $4,500 a year would receive a full benefit, and that the Federal contribution would be gradually reduced for higher family income levels until it is eliminated at about the $13,000 income level. The annual cost of the BOG program is estimated in the neighborhood of $900 million. If it is less than fully funded, individual grants will be trimmed back by varying percentages. They are in any case, limited to 50% of the student's college costs.

2. Funding for the full entitlement of $1,400 would not become available until existing student aid programs have received specified minimum appropriations, roughly $650 million. Congress used this device to ensure the continuance of three "old" kinds of assistance, now administered by and popular with the colleges and universities: low interest loans, originally authorized in 1958 under the National Defense Education Act; the College Work-Study Program which dates from the Johnson poverty legislation of 1964, and the educational opportunity grants, really scholarships for needy students, authorized in 1965.

3. The program of insured student loans was extended and the maximum amounts a student may borrow were increased. The Student Loan Marketing Association was established to serve as a secondary market and warehousing facility, a move considered necessary to ensure an adequate flow of funds for students for middle class families to borrow.

One might very well ask: Why have such a complicated system of grants and loans? Couldn't it possibly be simplified? The answer is probably not, given the diversity of higher education ser-

vices and the policy objectives the system is designed to serve. These are: First, to provide flexibility for each student: his individual needs and resources, the type and cost of the post-secondary education he selects, and the extent to which he is willing to encumber his future earnings by borrowing for his education.

The second objective is to implement the federal commitment to equalizing opportunity for needy students, both for entering college (or some other post-secondary education enterprise) and then for carrying their schooling to completion. The policy-makers found convincing the research evidence that previous provisions for student aid favored those from middle and high income families. Third, they were also concerned that the lack of access to higher education for many talented but needy students wasted an important national manpower resource.

The Senate is credited with devising the basic formulations of the student aid scheme, which the Nixon administration accepted as sufficiently close to, but considerably more generous than, its own proposals. In spite of the claims of its advocates that it may provide greater rationality and equity, past experience teaches us that when federal benefits are targeted to individual needs and spending decisions, a complex regulatory system ensues and the controversy will continue over how to define "individual need."

B. Institutional Aid

In the 1972 Act the Congress reaffirmed its policies of subsidizing colleges and universities by continuing a number of the categorical programs first authorized under the Johnson administra-

tion, such as those for facilities, for instructional equipment and library resources, for strengthening developing institutions, and for interim emergency institutional assistance. It rejected, however, the additional unrestricted institutional aid in the "dollars per student" format urgently sought by the higher educational associations and their principal Congressional advocate, Rep. Edith Green. Instead, Congress enacted entitlements for lump-sum general aid payments which would virtually all be determined on the basis of numbers of students attending an institution who are receiving Federal grants and loans. The former subsidies do not materialize unless the basic grants to students are funded at a minimum of half the authorized levels. The formula has both variable and flat-grant features which would distribute benefits differentially among various types of institutions--public and private, large and small, and high and low cost. In effect, the Act leaves the primary responsibility for support of their public institutions squarely on the states.

In rejecting the recommendations of the higher education community, many legislators voiced dissatisfaction with current enrollment policies, management practices, and even the type of information provided to them by the lobbyists. Some frankly stated they wanted to force the institutions to compete in enrolling disadvantaged students. It is possible, however, that future dependence of Federal institutional aid on student aid may foster solidarity rather than competition in the higher education sector, according to a "new kind of domino theory of overlapping constituencies, each pushing the other, so all get more."[7]

In any case, the 1972 Act posed an agonizing dilemma for higher education spokesmen. Mrs. Green went down to defeat fighting against the Senate-House compromise, arguing instead for an extension of the 1968 legislation and a subsequent attempt to improve the institutional aid provisions. However, most of the educators accepted the aid package as the best in prospect and swallowed also the unpalatable busing amendments. Mrs. Green's claim that they would be settling for false promises is not without merit, at least in the short run.[8] The Nixon administration has consistently failed to advocate general aid to institutions, and apparently intends to be selective in implementing the enabling legislation.[9] Virtually no funds for institutional aid have been requested in the President's budget for Fiscal Year 1974.

A possible reaction to the hostility displayed by the Administration and the Congress toward the higher educational establishment will be to produce more agressive and effective lobbying by the latter. One of the first acts of the new President of the American Council on Education, Roger Heyns, was to commission a study by Honey and Crowley of how the organization's governmental relations might be strengthened.[10]

C. Innovation and Reform

In the provisions of the 1972 Act directed to fostering innovation and reform of higher education, one finds the most concerted and bipartisan action by the Federal policy-makers. Broadly speaking, the desired changes are those advocated for elementary and secondary education, such as greater (1) productivity, (2) accountability, (3) sensitivity to public needs and aspirations, and

(4) devising of alternate delivery systems. Most welcome of the Federal initiatives is the move to create organizations for educational research and development on the National Institutes of Health model. Among President Nixon's 1970 proposals was a National Foundation for Higher Education. Subsequently revised, the idea received Senate support but failed of adoption in the conference committee. It was opposed by Congressional backers of the National Institute of Education, firm plans for which were already well advanced in HEW.[11] The 1972 legislation does provide, however, for project-type grants to higher education agencies or institutions searching to create or improve post-secondary education.

Some of the other legislative provisions penetrate areas of policy-making which were previously left to the states, localities, and especially to the institutions of higher education. These include the prohibition on sex discrimination in student admissions, the earmarked subventions for community colleges and occupational education, and the encouragement of state coordinating councils for higher education. When added to the clear intent of the Federal policy-makers to equalize and extend educational opportunity for post-secondary education, these provisions constitute national policy guidelines and an agenda far beyond anything even few dreamed of a decade ago. It should be noted that the Federal emphasis is on the instructional tasks of higher education and leaves the educational institutions to find support for their traditional research and service functions elsewhere.

Ironically, during most of the 1960's higher education officials were mainly concerned that the Federal support of research could

be a serious threat to their autonomy, if they did not handle it wisely. This proved to be a disease of affluence, and they are now reeling from the anemia caused by the pull-back of Federal funding for research and graduate-level studies. Moreover, they face a time when their independence of action is certain to be far more severely eroded in countless ways by governmental action at all levels, not just that of the Federal policy-makers. Consider that the theme chosen for last month's annual conference of the American Association of Colleges was "Autonomy, Authority, and Accountability." One of the speakers told the convention: "The day of the strong, totally autonomous independent institution of higher education is past . . . It is imperative that all types of institutions . . . be somehow interrelated and integrated into a total plan serving the public interest. This means that we are all going to have to accept some restraints on our ambitions."[12]

FOOTNOTES

1. "The New Pattern of Federal Aid to Higher Education," Educational Record, Spring 1969, p. 172.

2. H.R. 875, 90th Congress.

3. The important writings on Federal policy for higher education from 1968 to 1971, in the form of reports, books, speeches, and journal articles are exceptionally numerous. Only a partial listing may indicate, however, the diversity of their sponsorship. The Rivlin report was published as: Toward a Long-Range Plan for Federal Financial Support for Higher Education. A Report to the President. Washington: U.S. Department of Health, Education and Welfare, January 1969. The text of the report prepared by President Nixon's Task Force on Education, chaired by Alan Pifer, is found in the Congressional Record for March 12, 1969, pp. H1658-H1667. The report of the Task Force headed by Frank Newman was funded by the Ford Foundation and submitted to HEW Secretary Elliott Richardson. Report on Higher Education. Washington: U.S. Government Printing Office, 1971 (OE-50065).

   A review of the history and research efforts of the Carnegie Commission on higher education is given by John Walsh in "Higher Education: Reinforcement from the Carnegie Commission," Science, December 17, 1971, p. 1215. The initial, and perhaps most widely quoted Commission reports are Quality and Equality: New Levels of Federal Responsibility (1968) and Revised Recommendations (1970). New York: McGraw-Hill. For convenient reference to the thirteen Commission reports published by mid-1972, see A Digest and Index of Reports and Recommendations, December 1968 to June 1972. Carnegie Commission on Higher Education, 1947 Center Street, Berkeley, California.

   Two reports emanating from the Executive Branch were: Froomkin, Joseph, Aspirations, Enrollments, and Resources. Washington, D.C.: U.S. Department of Health, Education, and Welfare, Office of Education, 1970, and Zacharias, J.R., Educational Opportunity Bank. Washington, D.C.: Panel on Educational Innovation, 1967. A Congressionally sponsored publication is: The Economics and Financing of Higher Education in the United States. A Compendium of Papers submitted to the Joint Economics Committee, Congress of the United States. Washington: U.S. Government Printing Office, 1969.

   Important publications of associations of, or primarily for, higher education officials are: Orwig, M.D. (Ed.), Financing Higher Education: Alternatives for the Federal Government. Ames City, Iowa: The American College Testing Program, 1971; American Council on Education, Federal Programs for Higher Education: Needed Next Steps. Washington, D.C., 1969; American Association of State Colleges and Universities and National Associa-

tion of State Universities and Land Grant Colleges, Recommendations for National Action Affecting Higher Education. Washington, D.C., 1968.

Two eminent economists, Lee W. Hanson and Burton A. Weisbrod, collaborated in writing the widely read and discussed volume, Benefits, Costs, and Finance of Higher Education. Chicago: Markham Publishing Co., 1969.

4. See Wall Street Journal, October 19, 1970.

5. PL 92-318.

6. Walsh, John, "Higher Education: Will Federal Aid Favor Students or Institutions?", Science, March 26, 1971, pp. 1219-21.

7. Grant, Gerald, "Higher Education Bill: Universal BA?", The New Republic, June 24, 1972, p. 15.

8. See her remarks in the Congressional Record, August 2, 1972, pp. 7136-7.

9. See "Another Way to Ignore Congress" in Weekly Report for February 2, 1973, Congressional Quarterly, Inc.

10. Money, John C. and Crowley, John C., The Future of the American Council on Education: A Report on Its Governmental and Related Activities, September 1972 (Mimeo.)

11. For the history of the National Foundation for Higher Education proposal see Finn, Chester E., Jr., "The National Foundation for Higher Education: Death of an Idea.", Change, March 1972, pp. 22-31.

12. New York Times, January 31, 1973.